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UNCLAS SECTION 01 OF 02 USOSCE 000014

SENSITIVE
SIPDIS

STATE FOR VCI/CCA, EUR/RPM, EUR/PRA
JCS FOR J-5
OSD FOR ISA (PERENYI)
NSC FOR HAYES
EUCOM FOR J-5

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TAGS: [PARM](#) [PREL](#) [KCFE](#) [OSCE](#)
SUBJECT: OPEN SKIES: JANUARY 26 PLENARY AND IWGRP

REF: STATE 4932

1. (SBU) Summary. The Open Skies Consultative Commission (OSCC) Chairman,s Statement on allowable video sensors was not adopted at its 26 January plenary because the Russian delegation lacked its final instructions from Moscow to join consensus. The Russians expect a green light for approval in time for the February plenary. All other States Parties are ready to agree now. The draft Decision to prolong the Informal Working Group on Sensors was also delayed, pending agreement on the Chairman,s Statement on sensors. It will also be on the February agenda. USDel made a unilateral statement objecting to Russia,s ongoing policy of flight restrictions in the Moscow area. Meanwhile, USDel obtained Russian agreement to several last-minute U.S. edits to the draft Decision to revise the OSCC Decision on Costs. Washington guidance requested so we can join consensus on new version incorporating U.S. edits at Informal Working Group on Rules and Procedures (IWGRP) meeting planned for 9 February. End Summary.

Sensor items pending February

2. (SBU) On January 26, Belgium (Kenes) opened the 2009 winter session of the Open Skies Consultative Commission. Russia (Kozlov) informed delegations that it did not yet have instructions to join consensus on the Chairman,s Statement (OSCC.DEL/19/08/Rev 1) as Moscow had two weeks of holidays in January. Kozlov expects to receive approval to join consensus within one-two weeks, and did not suggest any kind of technical problems with the text itself. The Chairman,s Statement will remain on the agenda of the February plenary. The Chair clarified that all other delegations are ready to join consensus.

3. (SBU) Adoption of the draft Decision to extend the mandate of the Informal Working Group on Sensors (IWGS) was also postponed, partly because the text refers to the (presumed adopted) Chairman,s Statement. Also because France made a last minute text suggestion to the last sentence which we believed weakened the text. Thus, the U.S. (Neighbour) proposed deletion of the last sentence of the third tic. We understand this is acceptable to the French and all others. As a result, the Chair issued a revised text and will also

place it on the February agenda for adoption.
(OSCC.DD/1/09/Rev 1, 26 January)

¶4. (SBU) Comment: The UK del (MacLeod) wants to ensure that the OSCC retains oversight of the progress of the IWGS, and will likely make some short remarks to that effect at the February meeting. USDel reminded her that the U.S. had made such statements to the OSCC in previous years (OSCC.45.JOUR/139, January 21, 2008), and welcomed other delegations involvement in seeking progress. End comment.

Cost Decision update one step closer

¶5. (U) At the Informal Working Group on Rules and Procedures (IWGRP) meeting following the plenary, the U.S. (Marvin) introduced the most recent U.S. edits received on the remaining draft decision on the agenda. U.S. edits were distributed prior to the meeting as OSCC.RP/2/09 and provide additional suggestions for paragraphs 13 and 16 of Revision Five to Decision Number One (OSCC.RP/17/08/Rev 3/Corr 5).

¶6. (SBU) USDel (Marvin) met bilaterally with Russia after the meeting to discuss the changes, and several were accepted by the Russian delegation, including the clarifying language on reasons that determine which party is responsible for costs of cancelled hotel rooms. Some of U.S. edits raised concerns about future accountability or did not meet the substantive goal of the text. Russia has issued a new version incorporating U.S.-Russia agreed edits to all delegations in preparation for the next IWGRP meeting on February 9

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(OSCC.RP/17/08/Rev 3/Corr 6). USDel believes objectives in the guidance have been met.

¶7. (U) Washington guidance requested to join consensus on OSCC.RP/17/08/Rev 3/Corr 6 at the IWGRP meeting on 9 February.

Moscow airspace restrictions raised

¶8. (SBU) Under the other remaining agenda item on hazardous airspace, the U.S. (Marvin) made a brief statement recounting our concerns with the ongoing Russian policy of imposing a 3,600 meter minimum flight level on flights through the Moscow area. USDel expressed concern that States Parties should be able to conduct flights at the lower altitudes agreed during sensor certification. (OSCC.RP/3/09)

¶9. (SBU) Per reftel, USDel sought coordination with Romania to make the statement in the plenary, but Romania (Mattei) informed us that her country,s experts had reservations with doing so since its team had agreed to the Russian limitations during our shared flight. USDel believes the goal reftel of keeping the issue alive on the agenda has been met, and will continue to urge Allies to address this compliance issue during upcoming missions. Request Washington advise USDel of any U.S. mission activity in 2009 that encounter this Russian restriction again.

Old WEU Quota Info Memo

¶10. (U) Per reftel, USDel prepared and disseminated an information memorandum for selected Allies concerning the old WEU Declaration and associated statements. (see Neighbour email 1/27) USDel will introduce the issue at an informal meeting on February 4.

¶11. (SBU) AOB:

--Canada remarked on the positive results of its rescheduled observation flight that took place in December 2008. Despite limited daylight operating hours, low clouds and aircraft icing issues, it was able to complete the mission

successfully.

--Once again, Turkey (Begeg) reminded delegations of its statement made on February 24, 2005 regarding the content of the monthly OSCC agendas. This is its way of noting objection to the pending application of Cyprus to join the Treaty.

--The remaining two plenary meetings during Belgium,s OSCC chairmanship will be on February 23 and March 23.
SCOTT